UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,735	03/30/2001	Jiming Sun	42390P10450	7299

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EXAMINER
BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
2457	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 November 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to Request for Continuation Examination (RCE) filed

November 18, 2008. Claims 1-30 are presented for further examination.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-3, 5-7, 11-13, 15-17, 21-23, 25-27 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Herbert (US Patent Application Publication 2002/0136462

A1) in view of Rader (US Patent 6,370,581 B2) and further view of Lincke et al.

(hereinafter "Linc", US Patent Publication 2002/0109706 A1).

As per claims 1, 11, and 21, Herbert discloses an apparatus, method, and computer

program product comprising:

an encoder to encode data in a first format from an input device into a string of data

having a second format supported by a server having an infrastructure, the first format

and second format being different (paragraphs [0002, 0006-0007, 0009]);

a management layer coupled to the packetizer to process the packetized string of data

using a processing function, the management layer processing a received packet

having data encoded in the second format (paragraphs [0012, 0058, 0060]);

a decoder to decode a received packet encoded in the second format back into the data

having the first format (paragraphs [0012, 0060-0061]) .

Herbert does not explicitly disclose:

a packetizer coupled to the encoder the packets having at least one packet having a

header, the header identifying the first format.

However, in an analogous art, Rader discloses converting a data string from its current

format to a UTF-8 format. This string is transmitted across the network with a header

containing information to accurately parse the data string (column 6, lines 26-55).

Therefore, one of ordinary skill in the art at the time the invention was made

would have found it obvious to implement or incorporate Radar's packetizer in Herbert's

apparatus in order to keep track of the message length as the string is being converted.

Herbert, in view of Rader, does not explicitly disclose:

A packetizer to break the string of data into packets no larger than maximum message

size allowed by the infrastructure.

However, the use and advantage of breaking strings of data into such packets is well-

known to one ordinary skill in the art as evidenced by Linc (paragraphs [0063, 0105,

0397, 0506]).

Therefore, one of ordinary skill in the art at the time the invention was made

would have found it obvious to implement or incorporate Linc's packetizer in Herbert's

apparatus in order to reduce network bandwidth consumption.

As per claims 2, 12, 22, Herbert discloses the apparatus, method, and computer

program product of claims 1, 11, 21 wherein the decoder comprises a detector to detect

the second format and a converter to convert the string of data back into the data

having the first format (paragraph [0012, 0061-0062]).

As per claims 3, 13, 23, Herbert discloses the apparatus, method, and computer

program product of claims 1, 11, 21 wherein the at least one packet is transmitted to the

sever supporting the second format (paragraphs [0010, 0063]).

As per claims 5, 15, 25, Herbert discloses the apparatus, method, and computer

program product of claims 1, 11, 21 wherein the second format is an American

Standard Code of Information Interchange (ASCII) format (paragraphs [0058]).

As per claims 6, 16, 26, Herbert, discloses the apparatus, method, and computer

program product of claims 1, 11, 21 wherein the data having the first format is ink input

data (paragraphs [0002, 0007]).

As per claims 7, 17, 27, Herbert discloses the apparatus, method, and computer

program product of claims 6, 16, 26 wherein the ink input data is obtained from is one of

a touch-screen, a digitizer, a tablet, and a mouse (paragraphs [0002, 0007]).

3.   Claims 4, 10, 14, 20, 24, 30 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Herbert (US Patent Application Publication 2002/0136462 A1) in view

of Rader (US Patent 6,370,581 B2) further view of Lincke et al. (hereinafter "Linc", US

Patent Publication 2002/0109706 A1) and in further view of Heffner et al. (hereinafter

"Heff", US Patent Application Publication 2003/0018558 A1).

As per claims 4, 14, and 24, Herbert, in view of Rader and Lewis, does not explicitly

discloses the apparatus, method, and computer program product of claims 3, 13, 23

wherein the network comprises an instant messaging (IM) infrastructure.

However, in an analogous art, Heff teaches instant messaging service to send

notification information to the user's screen (paragraph [0257]).

Therefore, one of ordinary skill in the art at the time the invention was made

would have found it obvious to implement or incorporate Heff IM infrastructure in

Herbert's apparatus enabling users to be notified of "buy alerts".

As per claims 10, 20, 30, Herbert, in view of Rader and Linc, does not explicitly disclose

the apparatus, method, and computer program product of claims 8, 18, 28 further

comprising an interface layer coupled to the packetizer to process the at least one

packet into one of an instant messaging, a chat message, and an email message.

However, in an analogous art, Heff teaches instant messaging service to send

notification information to the user's screen (paragraph [0257]).

Therefore, one of ordinary skill in the art at the time the invention was made

would have found it obvious to implement or incorporate Heff IM infrastructure in

Herbert's apparatus enabling users to be notified of "buy alerts".

4.   Claims 8-9, 18-19, 28-29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Herbert (US Patent Application Publication 2002/0136462 A1) in view

of Rader (US Patent 6,370,581 B2) further view of Lincke et al. (hereinafter "Linc", US

Patent Publication 2002/0109706 A1) and in further view of Lewis et al. (hereinafter

"Lewis", US Patent Publication 2001/0053978 A1).

As per claims 8, 18, 28, Herbert discloses an apparatus, method, and computer

program product comprising:

an encoder to encode data in a first format from an input device into a string of data

having a second format supported by a server having an infrastructure, the first format

and second format being different (paragraphs [0002, 0006-0007, 0009]);

a management layer coupled to the packetizer to process the packetized string of data

using a processing function, the management layer processing a received packet

having data encoded in the second format (paragraphs [0012, 0058, 0060]);

a decoder coupled to the management layer to decode received packet back into the data having the first format (paragraphs [0012, 0060-0061]) .

Herbert does not explicitly disclose:

a packetizer coupled to the encoder to packetize the string of data into at least one packet having a header, the header identifying the first format.

However, in an analogous art, Rader discloses converting a data string from its current format to a UTF-8 format. This string is transmitted across the network with a header containing information to accurately parse the data string (column 6, lines 26-55).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radar's packetizer in Herbert's apparatus in order to keep track of the message length as the string is being converted.

Herbert, in view of Rader, does not explicitly disclose:

A packetizer to break the string of data into packets no larger than maximum message size allowed by the infrastructure.

However, the use and advantage of breaking strings of data into such packets is well-known to one ordinary skill in the art as evidenced by Linc (paragraphs [0063, 0105, 0397, 0506]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Linc's packetizer in Herbert's apparatus in order to reduce network bandwidth consumption.

Herbert, in view of Rader and Linc, does not explicitly disclose:

the processing function being enabled or disabled using a configuration user interface.

However, in an analogous art, Lewis discloses the user selecting one or more contraints used to decode special data. If selected, the constraint is enabled to decode special data and modify default recognition parameters (Abstract, paragraphs [0009]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Lewis's processing function being enabled or disabled using a configuration user interface in Herbert's apparatus in order to decode special data.

As per claims 9, 19, 29, Herbert discloses the apparatus, method, and computer program product of claims 8, 18, 28 wherein the processing function is one of smoothing (paragraph [0021, 0061, 0063]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARBARA N. BURGESS whose telephone number is (571)272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Barbara N Burgess/   Barbara N Burgess
Examiner, Art Unit 2457   Examiner
                                                      Art Unit 2457
December 6, 2008

/ARIO ETIENNE/
Supervisory Patent Examiner, Art Unit 2457